

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Phillipe Adam et al.

International Application No.: PCT/EP2004/012093

International Filing Date: October 25, 2004

For: NEW PROCESS FOR PREPARING AN OPTICALLY PURE 2-MORPHOLINOL  
DERIVATIVE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

☒ Copies of the references are enclosed

☐ Copies of the references were submitted in parent application Serial No. \_\_\_\_\_  
(37 CFR 1.98(d))

☒ A copy of the International Search Report which issued on International Application No. PCT/EP2004/012093 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:  
(1) a final action under § 1.113 or  
(2) a notice of allowance under § 1.311,  
whichever occurs first.

Express Mail Label No.: EV332131059US

Date of Mailing: April 26, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown above.


Patty Wilson  
Patty Wilson

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).
- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.
- ☒ Please charge any required fees to Deposit Account No.07-1392.
- ☐ A duplicate copy of this paper is attached.

Respectfully Submitted,

  
Bonnie L. Deppenbrock  
Attorney of Record  
Registration No. 28,209

Date: 24 April 2006  
Customer No. 23347  
GlaxoSmithKline  
Corporate Intellectual Property  
5 Moore Drive, P.O. Box 13398  
Research Triangle Park, NC 27709-3398  
Telephone: (919) 483-1577  
Facsimile: (919) 483-7988

**FORM PTO-1449  
INFORMATION DISCLOSURE STATEMENT**

INT'L FILING NO.	PCT/EP2004/012093
INT'L FILING DATE	October 25, 2004
APPLICANT	ADAM
GROUP	10/577417
EXAMINER	10/577417
ATTORNEY DOCKET NO.	PB60563USw

**U.S. PATENT DOCUMENTS**

Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	2,957,927	10/25/1960	Broughton et al.			
	2.	2,985,589	5/23/1961	Broughton et al.			
	3.	3,205,166	9/7/1965	Ludlow et al.			
	4.	3,291,726	12/13/1966	Broughton			
	5.	3,310,486	3/21/1967	Broughton et al.			
	6.	5,434,298	7/18/1995	Negawa et al.			
	7.	5,434,299	7/18/1995	Negawa et al.			
	8.	5,498,752	3/12/1996	Negawa et al.			
	9.	5,518,625	5/21/1996	Priegnitz et al.			
	10.	6,107,492	8/22/2000	Futagawa et al.			
	11.	6,136,198	10/24/2000	Adam et al.			
	12.	6,274,579	8/14/2001	Morgan et al.			
	13.	6,337,328	1/8/2002	Fang et al.			
	14.	6,342,496	1/29/2002	Jerussi et al.			
	15.	6,375,839	4/23/2002	Adam et al.			
	16.	6,391,875	5/21/2002	Morgan et al.			
	17.	2002/014458	2/7/2002	Nicoud et al.			
	18.	2003/027827	2/6/2003	Broom et al.			
	19.	2002/052340	5/2/2002	Jerussi et al.			
	20.	2002/052341	5/2/2002	Fang et al.			

**FOREIGN PATENT DOCUMENTS**

		Document Number	Publication Date	Country	Class	Subclass	Translation Yes   No
	21.	WO99/57089	11/11/1999	PCT			
	22.	WO00/25885	3/11/2000	PCT			
	23.	WO01/62257	8/30/2001	PCT			
	24.	WO03/006449	1/23/2003	PCT			
	25.	WO03/037840	5/8/2003	PCT			
	26.	WO03/051867	6/26/2003	PCT			
	27.	WO03/072562	9/4/2003	PCT			
	28.	WO04/046087	6/3/2004	PCT			

**OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)**

29.	LORENZ et al., Coupling of simulated moving bed chromatography and fractional crystallization for efficient enantioseparation, J. of Chromatography 908:201-214 (2001).
30.	PAIS and RODRIGUES, Design of simulated moving bed and Varicol processes for preparative separations with a low number of columns, J. of Chromatography 1006:33-44 (2003).
31.	ZHANG et al., Multiobjective Optimization of SMB and Varicol Process for Chiral Separation, AIChE Journal 48(12):2800-2816 (2002).

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.